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22 March 1965

MEMORANDUM FOR: JSW

SUBJECT: Automatic Data Processing - Tally Sheet

1. What follows is a listing of information and material we have gathered in our dealings on the Brooks' Automatic Data Processing Bill, H.R. 4845. Distilling this information down, we find that the Administration proposal (Clewlow Report, dated 2 March 1965) holds that the existing organizational arrangements are basically sound, while acknowledging that there is a need to strengthen the resources devoted to the management of ADP. Conversely, the Comptroller-General, for some five years, has been arguing for the establishment of a strong central management, authorities, and responsibilities.

2. Brooks' bill of last year, H.R. 5771, took up the cudgels for the GAO's position, establishing the GAO as the end-all in ADP matters. This bill pulls back a little bit from last year's stance, emphasizing the GAO role primarily as an intermediary between the user and the supplier, while yet retaining sufficient control over the management of ADP operations as to make many executive agencies wary of the bill.

3. The Senate Government Operations backs the Clewlow Report, and hints of this came as early as the second session of the 88th Congress, when Senator McClellan took the floor of the Senate on this subject against Brooks' bill.

4. The Bureau of the Budget, on 11 March 1965, in a letter addressed to Congressman Dawson, stated, "Accordingly, the Bureau of the Budget recommends that your committee give favorable consideration to H.R. 4845."

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5. Contrary to the above quotation, the body of the BOB letter actually is an endorsement of the Clewlow Report, and the Clewlow Report is in no way an endorsement of the Brooks' bill, as we and Clewlow have interpreted its provisions.

6. Tally Sheet.

(a) Position paper endorsed by Joe Becker in response to our 4 March memorandum, calling for a general exemption without naming the Agency.

(b) Copies of assorted DOD position papers on bill, including suggested letter to Dawson via BOB and Secretary Vance's signature strongly against Brooks' bill.

(c) 21 May 1964 letter from DOD to Comptroller General rebutting GAO charge of excessive costs due to leasing rather than purchase of equipment by Defense contractors.

(d) BOB's 11 March 1965 letter to Dawson recommending favorable consideration of Brooks' bill.

(e) 12 March BOB letter asking DOD to reconsider their letter of 12 March inview of BOB's letter to Dawson (understand that DOD's letter to BOB was a toned-down version of the draft letter for Secretary Vance's signature. It was signed by Frank J. Sherlock, Legislative Reference Service).

Comment: DOD position papers, etc., should be protected by us as they were obtained by Becker through DODS contact.

(f) The 6 March BOB circular now in the hands of Mr. Kirkpatrick is part of the Clewlow program and pre-empts much of Brooks' bill, but centralizes program in BOB rather than GSA.

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(g) 18 March, Joe Becke[redacted] STAT
[redacted] attended meeting of inter-Agency STAT
ADP Committee regarding the Clewlow Report. The BOB representative explained their letter to Dawson, finding no conflict in its endorsement of the Brooks' bill and what Clewlow says. This means that either we are not interpreting the letter or spirit of the bill properly or somebody is playing wishy washy.

7. Box Score.

(a) Have maintained almost daily contact wit[redacted] STAT
[redacted] Joe Becker and trying to arrange early meeting STAT
between you and Joe Becker.

(b) The Library has evinced strong interest in problem also.

(c) Have obtained 25 copies of the Clewlow Report. Distributing 13 as follows: one to each Deputy Director; one to Operational Service, DDP; one to FI, DDP; two to NPIC; one to Library, OCR; two to OCS, S&T; one to OSA; one to Office of Communications, DDS. Along with the Report, we are also distributing a copy of the Bill. Have advise[redacted] BPAM, that we have copies and STAT
worked out distribution list with him.

8. Other internal developments of which you are aware include the interest of BPAM in this problem, not so much in the substance but in the form of ADP management within the Agency. This related to intra-Agency Committee, which had not been functioning because of the difficulty of the parties in coming into agreement. Expecting result of this whole exercise will be its re-institution with its first task to meet the requirements levied on Kirkpatrick by the BOB circular of 6 March.

STAT

[redacted]
Office of Legislative Counsel

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